



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**

(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

**Agency:** Department of Social and Health Services, Aging and Disability Services Administration

**Subject of possible rule making:**

Chapter 388-71 WAC, Home and Community Services and Programs

**Statutes authorizing the agency to adopt rules on this subject:**

RCW 43.20A.710; chapter 43.43 RCW; RCW 74.08.090

**Reasons why rules on this subject may be needed and what they might accomplish:**

Due to recent legislation signed by the Governor (which delays implementation of the Initiative 1029 long-term care worker training requirements until January 1, 2014), the department must revert to the long-term care worker training requirements that were in effect on December 31, 2010. The department is submitting two changes to these rules:

(1) Adding that, effective January 1, 2012, individual providers and home care agency providers who must take continuing education, must complete the training by the individual's birth date. Previously the rules specified that the continuing education courses must be completed by December 31—this created a significant demand for continuing education courses by the end of each calendar year. By revising this requirement to say that the training must be completed by the individual's birth date, the demand for continuing education will be interspersed throughout the year rather than at the end of each calendar year. Thus, workers will more easily be able to complete their continuing education credits.

(2) Adding rules to chapter 388-71 WAC regarding safety training requirements for long term care workers. Chapter 388-71 WAC refers to chapter 257-05 WAC for specifying the safety training requirements (those requirements were part of the Home Care Quality Authority rules). Due to the elimination of funding for the Home Care Quality Authority, the Home Care Referral Registry was moved to the ADSA Home and community Services Division effective July 1, 2010. The department is proposing moving requirements for safety training (chapter 257-05 WAC) into chapter 388-71 WAC, and aligning the timeline for completion of this training at 14 days from the begin date of working with DSHS consumers

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**

The Department of health will be included in the rule development process and will have the opportunity to review and comment on the WACs before they are finalized.

**Process for developing new rule (check all that apply):**

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe)

DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the Office of the Code Reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.) Contact:

Nancy Brubaker  
Home and Community Services  
PO Box 45600  
Olympia WA 98504-5600  
E-mail: nancy.brubaker@dshs.wa.gov

**DATE**

July 20, 2011

**NAME (TYPE OR PRINT)**

Katherine Vasquez

**SIGNATURE**

**TITLE**

DSHS Rules Coordinator

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OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: July 20, 2011**

**TIME: 11:59 AM**

**WSR 11-15-105**